

Application No. 10/789,817
Babish, John G.
Filed: February 27, 2004

REMARKS

Claims 1-32 are pending and have been restricted under 35 U.S.C. § 121 into the following groups:

Group I: Claims 1-15, drawn to a composition comprising compound selected from the group consisting of reduced isoalpa acids, tetra-hydroisoalpa acids, and hexahydroisoalpa acids, and a methylxanthine.

Group II: Claims 16-31, drawn to a composition comprising a compound selected from the group consisting of reduced isoalpa acids, tetra-hydroisoalpa acids, and hexahydroisoalpa acids, and a curcuminoid.

Group III: Claim 32, drawn to a method of reducing inflammation comprising administering a composition of any of claims 1-31.

The Examiner has requested that one of the groups of claims be elected for examination. Applicants provisionally elect Group I, claims 1-15, drawn to a composition comprising compound selected from the group consisting of reduced isoalpa acids, tetra-hydroisoalpa acids, and hexahydroisoalpa acids, and a methylxanthine.

The restriction requirement is traversed with respect to division of the claims of Group I from the claim of Group III. While the claims of Group I may be patentably distinct, it is submitted that a thorough search of the claims of either group (as relating to the subject matter of claims 1-15) will likely reveal art relevant to the examination of the claims of the other group. Applicants request reconsideration of the Restriction Requirement for claim groups I and III and rejoin of method claim 32 (as it relates to claims 1-15) with composition claims of 1-15 should the compositions be found patentable.

As for claims in Group II, Applicants have withdrawn these claims but reserve the right to prosecute any subject matter of the previously presented claims 16-31 in one or more subsequent applications.

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The Examiner has additionally required that a species election be made. In response, Applicants elect, with traverse, tetra-hydroisoalpa acids.

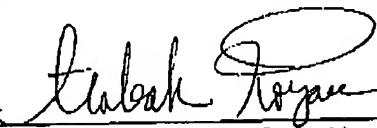
In summary, Applicants elect Group I claims and select tetra-hydroisoalpa acids, with traverse. The Examiner is invited to contact the undersigned agent to discuss any issues or questions.

To the extend necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please grant any extension of time required to enter this response and charge any additional required fees to our deposit account 50-1133.

Respectfully submitted,

McDERMOTT, WILL & EMERY, LLP

Dated: December 18, 2007

By: 
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